

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARIA AHERN,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 11-42
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

O R D E R

AND NOW, this 23rd day of March, 2012, upon consideration of the parties' cross-motions for summary judgment, the Court, upon review of the Commissioner of Social Security's final decision, denying plaintiff's claim for disability insurance benefits under Subchapter II of the Social Security Act, 42 U.S.C. §401, et seq., and denying plaintiff's claim for supplemental security income benefits under Subchapter XVI of the Social Security Act, 42 U.S.C. §1381, et seq., finds that the Commissioner's findings are supported by substantial evidence and, accordingly, affirms. See 42 U.S.C. §405(g); Jesurum v. Secretary of U.S. Department of Health & Human Services, 48 F.3d 114, 117 (3d Cir. 1995); Williams v. Sullivan, 970 F.2d 1178, 1182 (3d Cir. 1992), cert. denied sub nom., 507 U.S. 924 (1993); Brown v. Bowen, 845 F.2d 1211, 1213 (3d Cir. 1988). See also Berry v. Sullivan,

738 F. Supp. 942, 944 (W.D. Pa. 1990) (if supported by substantial evidence, the Commissioner's decision must be affirmed, as a federal court may neither reweigh the evidence, nor reverse, merely because it would have decided the claim differently) (citing Cotter v. Harris, 642 F.2d 700, 705 (3d Cir. 1981)).¹

Therefore, IT IS HEREBY ORDERED that plaintiff's Motion for Summary Judgment (document No. 7) is DENIED and defendant's Motion for Summary Judgment (document No. 9) is GRANTED.

s/Alan N. Bloch
United States District Judge

ecf: Counsel of record

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As to Plaintiff's argument that the Administrative Law Judge ("ALJ") erred in not adequately explaining the weight he assigned to the opinion of Dr. Menon, the Court notes that, contrary to Plaintiff's contentions, the ALJ did just that. While the ALJ did, as Plaintiff alleges, state that he "considered the opinion of Dr. Mennon [sic] and has assigned little weight to said opinion because these findings are not supported by the record as a whole," he went on to explain the contradictory evidence in the record at great length. An ALJ's decision must be read as a whole to determine whether the appropriate factors were considered, and, read as a whole, the ALJ clearly considered all of the evidence in assigning weight to Dr. Menon's opinion and in determining that Plaintiff was not disabled. See Jones v. Barnhart, 364 F.3d 501, 505 (3d Cir. 2004).